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08/990,026	12/12/97	OZAKI T	381NT43975

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EXAMINER	
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ART UNIT	PAPER NUMBER
2711	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/990,026

Applicant(s)
Ozaki, et al

Examiner
Reuben M. Brown

Group Art Unit
2711



☒ Responsive to communication(s) filed on Apr 29, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-7, 9-12, 20-22, 26, and 27 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-7, 9-12, 20-22, 26, and 27 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Objections

1. Claim 2 is objected to because of the following informalities:

At line 9, of claim 2; the term "inforamtion", should be replaced with "information".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

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3. Claims 4-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Hidary, (U.S. Pat # 5,774,664).

Considering claim 4, the claimed media integrating system comprising a communication network information providing device is met by a modem which enables the TV receiver/ PC 16 to access the Internet, (col. 5, lines 22-24). The claimed package information providing device is met by the disclosure of Hidary which discusses that the terminal device is enabled to receive video programming from a VHS, Beta, DVD or other similar medium, (col. 5, lines 1-6). The claimed broadcast information providing device is disclosed Hidary, in that the invention is directed to a particular TV receiver / PC 16 which is equipped with a WinTV card, (col. 5, lines 6-21). The claimed information terminal device capable of receiving information from the communication medium, package medium and broadcast medium reads on the portions of Hidary cited in the rejections listed above in the instant claim, (col. 4, lines 28-39). The claimed transfer means for performing information transfer between each of the information providing devices is inherent in Hidary, (col. 2, lines 1-27; col. 2, lines 49-67).

Considering claim 5, the claimed media integrating system having a terminal device and an information providing device each provided with an information transfer means having at least a communication network capability, a storage medium and broadcast medium capability

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corresponds with subject matter mentioned above in the rejection of claim 4, and is likewise rejected.

4. Claims 6-7, 9, 12 & 26-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Batchelor, (U.S. Pat # 5,724,103).

Considering claim 6, the claimed media integrating system comprising a terminal device capable of receiving broadcast information and information from a package is met by the personal computer system 10 disclosed by Batchelor, (Fig. 1; col. 2, lines 13-54), wherein it is shown that the system contains a receiver 24 for receiving NTSC broadcast video and an optical disk drive 38 for reading information from a CD-ROM. The claimed link information adding means for adding link information to broadcast information for reading information from the package is met by the VBI inserter 16, which embeds data into the VBI of a broadcast signal which directs the CPU 32 of the receiver system, to retrieve specific information from a particular location on the instant CD-ROM. The claimed additional limitation of a reading means for reading information stored in the package by using the link information, reads on the use of the command and address information decoded from the broadcast signal which instructs the CPU 32 to retrieve specific text and graphic information from the optical disk 38, (col. 2, lines 51-54).

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Considering claim 7, the claimed package which is comprised of a storage medium recorded with information is met by the optical disk 38, (col. 2, lines 39-47).

Considering claim 9, the claimed terminal device of a media integrating system comprising a display block for displaying information is met by the monitor 30 of Batchelor. The claimed input control block for accepting an input instruction from outside the terminal device is inherent in Batchelor, in that personal computer systems require at least a keyboard for a user to input instructions. The claimed memory for storing a program is met by the DRAM device 34 and hard disk drive 36, (Fig. 1; col. 2, lines 14-54). The claimed broadcast receiving block for receiving broadcast information to extract video, audio and data is met by the receiver 24, NTSC decoder 28 and VBI decoder 26. The claimed additional limitation of a package control block for reading from a package is met by optical disk drive 38. The claimed further limitation of package control block for writing data to a package is met by the operation of Batchelor, wherein the user has the option of saving the retrieved text/graphic information to a file so that the information may be recalled by the user, (col. 3, lines 11-12).

The claimed CPU for executing program and performing control on the blocks is disclosed by the CPU 32 of Batchelor, (col. 2, lines 49-54). The claimed additional means of a broadcast receiving block which acquires link information for giving an instruction for reading particular information from the package such that the package control block is controlled by link

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information to read information stored in the package and display the read information, is met by the operation of Batchelor, in that text/graphics information are read from the CD-ROM and displayed on the monitor, in coordination with the received TV broadcast, (col. 1, lines 41-54; col. 3, lines 13-29).

Considering claim 12, the claimed elements of a terminal device of a media integrating system which corresponds with subject matter mentioned above in the rejection of claim 9, are likewise rejected. Regarding the difference of the system reading particular information from a package, storing the acquired link information into temporary storage and reads information from the package by reproducing and outputting link information from the temporary storage device, Batchelor discloses that the retrieved information may be saved by the user, to be recalled and viewed by the user, (col. 3, lines 4-7). This arrangement enables the retrieval of the requested information by only accessing the system memory avoiding the need for accessing the disk medium for each retrieval.

Considering claim 26, the claimed broadcasting method for use in a media integrating system comprising a step of broadcasting a broadcast signal including link information for giving an instruction for reading particular information from a package is met by Batchelor, (col. 2, lines 49-54). The further claimed limitation of broadcasting ID information for identifying the package having the particular information, reads on Batchelor (col. 4, lines 11-6).

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Considering claim 27, the claimed information providing device connected to a terminal via a network is broad enough to read on the video source 20 of Batchelor, which provides information to end users via a transmitter 22, (Fig. 1; col. 2, lines 13-28). Therefore the further claimed limitation of a recording medium for use in a media-integrating system, arranged on an information providing device for recording link information for giving instruction for reading particular information from a package is met by the data inserter 16, which records data, i.e. link information into the VBI of the broadcast TV signal which instructs the users PC/TV system as to which information to retrieve from the corresponding package, with respect to the instant TV broadcast. The additionally claimed limitation of including identification information in the recorded link information identifying the required package having the particular information is met by Batchelor, (col. 4, lines 1-4).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hidary, in view of Batchelor.

Considering claim 1, the claimed media integrating system comprising a terminal device capable of receiving information from a first, second and third medium reads on Hidary, (Abstract), wherein an integrated system is introduced which combines the technology of broadcast TV with the Internet, by embedding URL's within the broadcast TV signal. In particular, the claimed limitation of receiving first information from a first medium is met by Hidary, (col. 9, lines 3-7 thru col. 10, lines 1-2), which discloses that the URLs may be embedded on VHS, Beta, DVD or other well known package medium and that the instant TV system is capable of reading from these medium. The claimed limitation of reading second information from a second medium is met by the TV receiver and PC 16 which includes a WinTV card for receiving and displaying NTSC signals, (col. 5, lines 6-21). The claimed limitation of receiving third information from a third medium is met by the disclosure that TV receiver/ PC 16 has a modem which allows access to and an interface with the Internet, (col. 5, lines 22-25).

The claimed first link information adding means for adding first link information to the first information for providing a link with the third information reads on the disclosure of Hidary, which discusses that URLs may be encoded on a DVD for instance, which when played back

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synchronizes the display of Web pages within the particular movie or recorded video program, (col. 1, lines 65-67 thru col. 2, lines 1-13; col. 9, lines 3-7 thru col. 10, lines 1-2).

Regarding the additional claimed limitation of a first link information adding means for adding first link information to the first information for providing a link with the second information, Hidary does not specifically discuss that the link information added to the package device corresponds with a video broadcast. Nevertheless, Batchelor discloses the desirability of improving a TV system, by integrating the storage resources of a package medium with the broadcast of TV program, (col. 1, lines 21-38). Batchelor further discloses that the data embedded in the TV broadcast signal includes at least addresses of physical locations on the CD-ROM of particular information, therefore the attendant CD-ROM is arranged such that the addresses of information are indexed to correspond with address information embedded in the TV broadcast signal. It would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the multimedia system of Hidary, adding link information to a package medium which corresponds with a TV broadcast program, as taught by Batchelor, for the known advantages of enabling the user to utilize link information stored on a CD-ROM, which relates specific information on the CD-ROM to a specific TV broadcast program.

Considering claim 2, the claimed elements of a media integrating system, which corresponds with subject matter mentioned above in the rejection of claim 1, are likewise rejected.

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The additional limitation of a second link information adding means for adding link information to the second information for providing link with the third information is met by the URL encoder 8 of Hidary, (col. 3, lines 25-50; col. 4, lines 28-52; col. 5, lines 1-6), which discloses that URLs may be embedded in the VBI of a broadcast TV signal, which synchronizes the display of Web pages relative to a particular point in time reached in the instant TV program. The claimed further limitation of a second link information adding means for adding link information to the second information for providing link with the first information, is not explicitly disclosed by Hidary.

Nevertheless, Batchelor discusses the desirable benefit of utilizing the vast storage resource of a CD-ROM by embedding a signal within a TV broadcast which enables the TV receiver to retrieve information related to the instant TV broadcast from a CD-ROM, (col. 1, lines 16-36). Batchelor teaches that for instance, if the viewer is watching a particular TV broadcast, link information may be embedded in the TV signal which enables the receiver system to locate and retrieve related information from a CD-ROM which contains an encyclopedia comprised of text/graphics which corresponds to the instant TV broadcast, (col. 2, lines 36-54). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the multimedia system of Hidary, with the disclosure of Batchelor, adding link information to a TV broadcast signal which corresponds to information on a storage medium at the user's terminal for the benefit of utilizing the storage memory of a storage medium for providing additional information regarding a TV broadcast, as taught by Batchelor, which at least provides

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the known advantage of the broadcaster avoiding the need to transmit the whole of such additional information to all of the users, instead the broadcaster only needs to transmit information which links the instant portion of a broadcast with related information on a storage medium at a user's site.

Considering claim 3, the claimed elements of a media integrating system, which corresponds with subject matter mentioned above in the rejection of claim 2, are likewise rejected. The additional claimed limitation of a third link information adding means for adding third link information to the third information for providing link with the first information and second information is met by Hidary, (col. 8, lines 59-67 thru col. 9, lines 1-2), which teaches that as a user is browsing the Internet for instance, at TV network's Web site, the user may click on a URL which enables a software to tune the TV window to the broadcast network in order to receive programming that is related to an instant Web page that is being displayed on the viewer browser. Hidary further discloses that these Web pages may be coordinated with information encoded on a package medium such as VHS, Beta or DVD.

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7. Claims 10-11 rejected under 35 U.S.C. 103(a) as being unpatentable over Batchelor.

Considering claims 10 & 11, the claimed elements of a terminal device of a media integrating system which corresponds with subject matter mentioned above in the rejection of claim 9, are likewise rejected. Regarding the difference of the system displaying a message requesting that the user insert the particular package device or that the wrong disc has been inserted, in the event that the terminal device seeks to read information from a particular package device and it has not inserted, or if the inserted package differs from the target package, Batchelor teaches that the broadcaster may transmit the optical disk ID which pertains to the specific ID of the CD-ROM required for retrieving corresponding information for a particular broadcast, (col. 4, lines 1-6). However, it is not specifically disclosed that a message might be displayed to a user in the cases that either the wrong disk is inserted in the optical disk drive 38, or that no disk has been inserted.

Nevertheless examiner takes Official Notice that such a procedure was notoriously well known in the art of computer diskette technology at the time the invention was made. For instance, it was notoriously well known that if a user is installing software to a computer using multiple diskettes that when the point in the installation requires the second or third diskette, a message is displayed to the user prompting the subsequent diskette to be inserted. Furthermore, it was well known that if a user of a computer seeks to read a document from the wrong disk or

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disk drive, an error message will be displayed notifying the user that the disk or disk drive selected does not contain the requested document. Such messages were frequently encountered when the memory size of disks required users to often use one disk to store an application and a second disk to store the actual documents created by the user, thus requiring the two disks to be shuttled between one physical disk drive. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Batchelor with the well known method of prompting a user to insert the particular package when the computer system requires information to be read from the instant package, for the known benefits of a more user friendly system.

8. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Batchelor, in view of Hidary.

Considering claim 20, the claimed elements of a terminal device of a media integrating system which corresponds with subject matter mentioned in the rejection of claim 9, are likewise rejected. Batchelor does not specifically disclose the additional limitation of the "communication control block communicating with information providing device". It is noted that this limitation merely reads on connecting the personal computer system 10 of Batchelor to an external network, such as the Internet. Connecting a computer to the Internet in order to obtain information is

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extremely well known in the art, and is demonstrated by Hidary. The claimed communication control block for performing communication with an information providing device is met by the operation of Hidary which discloses Internet access for the TV/PC system 16, (col. 5, lines 21-46). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to modify the personal computer system 10 of Batchelor, with the feature of interfacing with a modem, for the known improvements in a multimedia environment of enabling a user terminal device to interface with a TV broadcast network, as well as a communication network as taught by Hidary, (col. 1, lines 17-61).

The claimed information providing device is broad enough to read on an Internet server, which provides information to end users, necessarily included in Hidary. The claimed CPU for executing a program and performing control on each of the blocks is necessarily included in Hidary, (col. 4, lines 28-57). The claimed information reading means that, based on link information added to a broadcast signal for giving an instruction for reading information stored in an information providing device, controls the communication control block to read information from the information providing device is met by the operation of Hidary, (Abstract; col. 4, lines 28-56) which discusses a means for providing URL links in TV broadcast program which allows for related information to be provided from an information provider/Internet server.

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The further claimed limitation of adding link formation to a broadcast signal for giving instruction for reading information stored in a package and controlling the package control block to read the stored information from the package device reads on Batchelor, (col. 2, lines 49-54), in that text/graphics information are read from the CD-ROM and displayed on the monitor, in coordination with the received TV broadcast.

Considering claim 21, the claimed elements of a terminal device of a media integrating system, which corresponds with subject matter mentioned above in the rejection of claim 20, are likewise rejected. Regarding the further claimed limitation of a means for storing into the information providing device link information for reading particular information from a package and a broadcast reads on Hidary, (col. 8, lines 45-67 thru col. 9, lines 1-7), which discusses synchronizing information on a Web page with video from a TV broadcast or video from a package device such as a DVD, Beta or VHS. The additional claimed limitations of controlling the package control block and broadcast receiving block based on instructions of link information added to the information providing device, again is necessarily included in the operation of Hidary, with respect to the synchronizing of Web pages with programs on broadcast TV or stored on a DVD devices and played for the user, (col. 8, lines 45-67 thru col. 9, lines 1-7).

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Considering claim 22, the claimed elements of a terminal device in a media-integrating system which corresponds with subject matter mentioned above in the rejection of claim 20, are likewise rejected. Regarding the additional claimed limitation of a means for storing into a package medium a first link for reading particular information from the package is met by well known operation of a conventional CD-ROM, as disclosed by Batchelor in that they are designed with a user interface, which allows a user to access particular desired information on a instant page and to access related information by clicking on links on the instant page of information, Batchelor (col. 1, lines 22-29). The additional claimed limitation of a means for storing information into a package medium with link information to a broadcast program reads on Batchelor, (col. 2, lines 38-47; col. 3, lines 64-67 thru col. 4, lines 1-2), which discloses that the CD-ROM is arranged so that the particular physical locations of specific information is linked to commands embedded into a TV broadcast signal, such that a decoder in the user terminal utilizes both information to synchronize the display of a TV broadcast program with specific related information retrieved from the attendant CD-ROM.

Regarding the further claimed limitation of a reading means that, based on an instruction of link information stored in the information providing device, controls the communication control block to read information stored in the information providing device is necessarily included in Hidary, in that the URL links which are also transmitted to end users and decoded by the URL decoder 12 are utilized to direct the TV/PC 16 to retrieve the information from the Web pages

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linked to the instant URL embedded on a TV broadcast, (Fig. 1; col. 7, lines 8-29). The additional claimed limitation of a control means that, based on link information associated with a broadcast program controls the broadcast receiving block is also met by the disclosure of Hidary, (col. 8, lines 64-67 thru col. 9, lines 1-2), which discusses an example of a user clicking on a URL on a displayed Web page, which controls software in the user's terminal device to tune a TV window to a TV broadcast channel which in turn corresponds to the instant Web page currently displayed on the monitor.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's claims.

A) Hamaguchi Provides a means for adding link information to a CD-ROM which corresponds with a specific TV broadcast program, by detecting the date, time and broadcast channel of the currently displayed TV broadcast program.

B) Portuesi Adds URLs at least to movie files which allow the user to retrieve a Web page related to a particular portion of the movie.

C) Harrison TV device which reads information from a TV broadcast and CD-ROM.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (703) 305-2399. The examiner can normally be reached on Monday thru Friday from 830am to 430pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Andrew Faile

ANDREW I. FAILE
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